

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARTIN HANSON,

Defendant.

**8:16CR337**

**ORDER**

This matter is before the Court on defendant Martin Hanson's ("Hanson") pro se Motion to Appoint Counsel (Filing No. 47). In his motion, Hanson asks the Court to appoint counsel to assist him in preparing a motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A). That statute permits him to move the Court to "reduce [his] term of imprisonment" for "extraordinary and compelling reasons" thirty days after the warden of the facility where Hanson resides receives a request to file such a motion on his behalf. *Id.* § 3582(c)(1)(A)(i); *see also United States v. Raia*, 954 F.3d 594, 595 (3d Cir. 2020). The Court construes Hanson's motion as one for compassionate release under § 3582(c)(1)(A) and, upon initial review, finds he has potentially raised a colorable claim. Hanson's request for appointment of counsel for this limited purpose is granted. Accordingly,

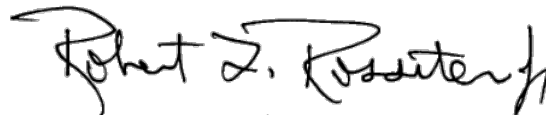
IT IS ORDERED:

1. The Federal Public Defender for the District of Nebraska is appointed to represent Hanson for the limited purpose of determining whether there are extraordinary and compelling reasons to reduce his term of imprisonment.
2. In the event the Federal Public Defender should decline this appointment because of a conflict of interest or on the basis of the Amended Criminal Justice Act Plan, the Federal Public Defender shall provide the Court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Amended Criminal Justice Act Plan for this district.

3. If upon review the Federal Public Defender should conclude that Hanson's motion is frivolous, the Federal Public Defender may move to withdraw as counsel.
4. The U.S. Probation and Pretrial Services Office is directed to conduct an investigation of Hanson's compassionate release request and promptly file under seal a report on that investigation.
5. The probation office is authorized to disclose the Presentence Investigation Reports to the Federal Public Defender and the United States Attorney for the purpose of evaluating the motion. Hanson's counsel shall provide the Presentence Investigation Report to any subsequently appointed or retained counsel. In accordance with the policy of the Federal Bureau of Prisons, no Presentence Investigation Report shall be provided to inmates.
6. The government and Hanson's counsel shall each file within ten days of the probation office filing its investigation report a brief addressing Hanson's request for sentencing relief and provide any evidence necessary to the Court's disposition of his motion. Absent an extension, the motion shall be deemed fully briefed and submitted as of that date.

Dated this 14th day of April 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.  
United States District Judge